

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JULY 20, 2015 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Fellers; Council Members: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, City Clerk, Teresa J. Meier.

Council Chair Fellers announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

CHRISTENSEN Having been appointed to read the minutes of the City Council proceedings of July 13, 2015, reported having done so, found same correct.

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING

REAPPOINTING LOWELL S. BERG TO THE LINCOLN CITY LIBRARY BOARD FOR A TERM EXPIRING AUGUST 31, 2022 - Pat Leach, City Library Director, came forward and stated she wanted Council to be aware of the reappointment of Lowell Berg and that he has been on the board for just over a year. She said he filled a partial term and is now ready to fill a 7 year term. His is an architect and he is semi-retired from the Clark Enersen Partners and has worked on several library projects throughout the years.

This matter was taken under advisement.

APPLICATION OF GNS CORPORATION DBA CAPPY'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA APPROXIMATELY 240 FEET BY 120 FEET AT LINCOLN RACQUET CLUB AT 5300 OLD CHENEY ROAD ON JULY 31, 2015 FROM 6:00 P.M. TO 11:00 P.M. - John Caporale, 5100 Spruce St., came forward to answer questions.

This matter was taken under advisement.

SPECIAL PERMIT 15025 - APPLICATION OF GOOD SHEPHERD LUTHERAN CHURCH TO CONSTRUCT A 100-FOOT BROADCAST TOWER AT GOOD SHEPHERD LUTHERAN CHURCH, ON PROPERTY GENERALLY LOCATED AT 3825 WILDBRIAR LANE - Nik Sandman, 4501 Hawkcliff Rd, stated he serves as chairman of the board of Good Shepherd Community Radio. Good Shepherd Lutheran Church, as the owner of this property, is making application for a Special Permit to build a radio tower and he is testifying in support of this permit. He said the LPFM radio license granted is under Good Shepherd Community Radio which, is a separate entity. There will be 46,000 watts of power available, which is a limited area, but makes it ideal for serving the community. He said happily they have reached an agreement with the neighbors and went over the tree selection to complete the screening for the radio tower.

Kathy Siefken, 5631 Coyote Cr., came forward representing the Briarhurst West Neighborhood Association. She wanted to thank the members of the City Council for listening to the neighbors and working with them so they could come to an agreement with the Church. She said as long as the Motion to Amend No. 2 is adopted as part of the approval, they do not oppose the tower. If the Motion is not made part of the approval, they would have to follow up in the courts. It is important that the bond, escrow or security agreement be in the amount of \$1,900.00 and approved as that would guarantee the purchase and planning of the landscape screen. She wanted to clarify that when the radio tower was initially proposed, there were additional antenna and satellite dishes that were attached to it and the Church voluntarily removed those items when the Association voiced their concerns. She said they still stand opposed to adding anything at a future time and wanted to make sure that intent is part of the record as they move forward. She wanted to thank the City Attorney and Assistant City Attorney for their help. She said she was proud of this City Council and said this was truly the most open and inviting Council she has seen in 20 years. She commented on the need for street repair in the Briarhurst West Neighborhood and what happy citizens they would be if they could get something done about that. She closed by thanking Council.

Bob Van Valkenburg, came forward and stated he wanted to remove his objection to this project.

Curtis Christensen 7812 Dugan Dr., came forward and said he is on the board of the Good Shepherd Community Radio. He wanted to make Council aware that it was on the advisement of Brian Will, who is with the City Planning Dept., to leave off the additional antenna, but this was not discussed in their meeting with the homeowners association. They don't plan on adding anything, but they may need an additional antenna to properly broadcast within FCC regulations. Mr. Christensen said they were in discussion with the company Wide Range Broadband which provides wireless internet service. They were asked by Broadband if they could locate on their tower, however they informed Broadband they would not be part of this project. He stated you have to be a member of Good Shepherd Church to sit on the community radio board, and the board is responsible for the operation of the station and reporting back to the Church. They are ultimately responsible to the FCC. The board has to keep a public file of objections,

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comments or any correspondence for the FCC to review. They felt it was easier to have a separate organization that was focused primarily on the FCC regulations rather than have a lot of volunteers that could lose the continuity over time with what the FCC requires.

Mike Morosin, 1500 N 15th St, came forward in support of these type of stations, but questioned if this was going to be a free-standing or guide wire tower.

Mr. Sandman came forward and said the tower will be free-standing and the antenna will be 95 ft tall. In regards to a fall zone, the Church is the only structure other than the trees that the antenna could fall on.

This matter was taken under advisement.

APPROVING THE APPOINTMENT OF CHAD BLAHAK AS DIRECTOR OF THE BUILDING AND SAFETY DEPARTMENT EFFECTIVE AUGUST 3, 2015 - Chad Blahak, Building and Safety, came forward and thanked Council Members for their consideration of his permanent appointment as the Director of the Building and Safety Dept. and gave a brief history of his background. He thanked Mayor Beutler for this opportunity and said it was an honor to be asked. He said a main focus for this department is the satisfaction of their customers and believes they operate on a high level and will continue to do so. Mr. Blahak went on to thank Roger Figard for both his personal and professional advice.

Council Member Camp asked how does this relate to the Development Service Center and his leadership.

Mr. Blahak stated as part of the responsibilities of the Building and Safety Director, he also has the title of Development Service Center Manager. He is the facilitator for getting Departments together on a regular basis to plan and collaborate on working more closely to ensure projects move more efficiently. Discussion followed. Mr. Blahak went on to introduce his family.

This matter was taken under advisement.

APPROVING A CONTRACT BETWEEN THE BOARD OF TRUSTEES OF THE COMMUNITY HEALTH ENDOWMENT AND THE CITY OF LINCOLN TO EXPAND, ENHANCE, AND SUSTAIN 10 HEALTH, LINCOLN'S 24/7 HEALTH AND WELLNESS CABLE CHANNEL FOR A TERM OF JULY 1, 2015 THROUGH JUNE 30, 2017 IN THE AMOUNT OF \$84,244.00 - Diane Gonzales, Manager of the Citizen Information Center, came forward to answer questions.

Council Member Camp ask if the \$84,244.00 basically covers staff cost.

Ms. Gonzales said it covers mostly staff cost and some underwriting from those who sponsor programs, and a lot of those are fellow city departments that help us cover some of our expenses. They may pursue some other grants as well, and they are looking in to that. They have started a new monthly show called "The Shape of the City" and a few new exercise programs, minority health programming, and things for kids. Program schedules are available at lincoln.ne.gov, channel 10. The exercise programming is one area that we would like to expand into and update as well as nutrition programming. Ms. Gonzales said The Partnership for Healthy Lincoln received a major grant and they included money in that grant for channel 10 programming.

Judy Halstead, Director of the Health Department, came forward in support of this application. She is a trustee of the Community Health Endowment and they review the proposals that come in. The Endowment generally only funds programs for 3 years, they have exceeded that to fund 10 Health because they have been so pleased with their programming. As the Health Director, she wanted to thank 10 Health as it gives them the opportunity to get information out in a low cost way. She gave the example of the K2 awareness PSA's being sent out to the Media in a timely manner. They are also going to start issuing grants to low-income residents for spay and neutering of their pets, starting this week thanks to 10 Health you will be seeing PSA's about this grant program.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING LOWELL S. BERG TO THE LINCOLN CITY LIBRARY BOARD FOR A TERM EXPIRING AUGUST 31, 2022 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89107 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Lowell S. Berg to the Lincoln City Library Board for a term expiring August 31, 2022, is hereby approved.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPOINTING KYLE BIGGERSTAFF TO THE BOARD OF MECHANICAL EXAMINERS FOR A TERM EXPIRING APRIL 4, 2018 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89108 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Kyle Biggerstaff to the Board of Mechanical Examiners for a term
expiring April 4, 2018, is hereby approved.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPOINTING JAMES LANGE TO THE BUILDING CODE BOARD OF APPEALS FOR A TERM EXPIRING
APRIL 1, 2017 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89109 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of James Lange to the Building Code Board of Appeals for a term expiring
April 1, 2017, is hereby approved.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ASSESSMENT RESOLUTIONS FOR BOARD OF EQUALIZATION GROUP I (WATER DISTRICT 1204 &
WATER DISTRICT 1205) - CLERK read the resolutions, introduced by Roy Christensen, who moved
their adoption.

Seconded by Raybould and carried by the following vote; AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

RESOLUTION APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON
SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED MAY 31, 2015 -
CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89110 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That during the month ended May 31, 2015 \$41,677.77 was earned from the investments of
"IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rate basis using the balance
of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all
fund balances.

Introduced by Roy Christensen

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

LINCOLN ELECTRIC SYSTEM FINANCIAL AND OPERATING STATEMENT FOR JUNE 2015 - CLERK
presented said report which was placed on file in the Office of the City Clerk. (40)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, AUGUST 3, 2015 AT 3:00 P.M. FOR THE APPLICATION OF
BLINK RESTAURANTS INC. DBA BLINK, FRESH CASUAL EATERY FOR A CLASS C WITH
CATERING LIQUOR LICENSE LOCATED AT 803 Q ST., STE 150 - CLERK read the following
resolution, introduced by Roy Christensen, who moved its adoption:

A-89111 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is
hereby set for Monday, August 3, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council
Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the Application of Blink Restaurants
Inc. dba Blink, Fresh Casual Eatery for a Class C with Catering Liquor License located at 803 Q St., Ste
150.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be
set.

Introduced by Roy Christensen

Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT.:

CHANGE OF ZONE NO. 04075F, REQUESTED BY SEACREST AND KALKOWSKI, TO AMEND
THE VILLAGE GARDENS PLANNED UNIT DEVELOPMENT BY EXPANDING THE BOUNDARY
BY APPROXIMATELY 46 ACRES; WITH A CHANGE OF ZONE FROM AG AGRICULTURAL
DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT
DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH
PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION
ORDINANCE FOR ADDITIONAL SINGLE-FAMILY DWELLING LOTS ON THE UNDERLYING R-3
ZONED AREA, ON PROPERTY GENERALLY LOCATED AT SOUTH 63RD STREET AND
YANKEE HILL ROAD.

SPECIAL PERMIT NO. 04054A, REQUESTED BY REGA ENGINEERING, AN AMENDMENT TO
ALLOW DUPLEX LOTS WITHIN THE SPECIAL PERMIT, AND TO PERMIT A REDUCTION IN
THE MINIMUM LOT AREA, LOT DEPTH AND LOT WIDTH ON PROPERTY GENERALLY
LOCATED AT SW 27TH STREET AND WEST A STREET.

SPECIAL PERMIT NO. 15040, REQUESTED BY PYRAMID NETWORK SERVICES, TO ALLOW AN 85-FOOT TALL PERSONAL WIRELESS FACILITY ON PROPERTY GENERALLY LOCATED AT 3434 SOUTH 13TH STREET.

USE PERMIT NO. 52C, REQUESTED BY OLSSON ASSOCIATES, TO AMEND UP52B, BY ELIMINATING THE MAXIMUM SQUARE FOOTAGE LIMITATION, ON PROPERTY GENERALLY LOCATED AT 300 NORTH 44TH STREET.

USE PERMIT NO. 72A, REQUESTED BY HACOR, INC., FOR A WAIVER TO THE R-T USE PERMIT TO REDUCE THE FRONT YARD SETBACK FOR A FREE-STANDING SIGN AND CHANGE THE LANDSCAPING PLAN, ON PROPERTY GENERALLY LOCATED AT 4910 NORMAL BOULEVARD.

NEBRASKA SURFACE TRANSPORTATION PROGRAM BOOK - FISCAL YEARS 2016-2021 - CLERK presented said report which was placed on file in the Office of the City Clerk. (12)

LIQUOR RESOLUTIONS

APPLICATION OF GNS CORPORATION DBA CAPPY'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA APPROXIMATELY 240 FEET BY 120 FEET AT LINCOLN RACQUET CLUB AT 5300 OLD CHENEY ROAD ON JULY 31, 2015 FROM 6:00 P.M. TO 11:00 P.M.
- CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89112 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of GNS Corporation dba Cappy's for a special designated license to cover an outdoor area measuring approximately 240 feet by 120 feet at Lincoln Racquet Club at 5300 Old Cheney Road, Lincoln, Nebraska, on July 31, 2015, between the hours of 6:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

SPECIAL PERMIT 15025 - APPLICATION OF GOOD SHEPHERD LUTHERAN CHURCH TO CONSTRUCT A 100-FOOT BROADCAST TOWER AT GOOD SHEPHERD LUTHERAN CHURCH, ON PROPERTY GENERALLY LOCATED AT 3825 WILDBRIAR LANE. (MTA #1) (6/29/15 - PUBLIC HEARING & ACTION CONTINUED TO 7/20/15) - PRIOR to reading:

CAMP Moved Motion to Amend #1 to amend Bill No. 15R-135 in the following manner:

On page 1 between lines 12 and 13, insert a new WHEREAS recital to read as follows: "WHEREAS on June 8, 2015 Kathy Siefken filed a notice of appeal dated June 8, 2015 with the City Clerk, appealing the action of the Planning Commission approving Special Permit No. 15025; and";

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CAMP Moved Motion to Amend #2 to amend Bill No. 15R-135 in the following manner:

1. On page 2 between lines 8 and 9, insert a new condition 2 to read as follows: "2. The Permittee shall provide and maintain a landscape screen consisting of three Red Sunset Maple trees and three Colorado Blue Spruce trees to be planted in the locations shown on the site plan attached hereto as Exhibit A. The minimum height of the Red Sunset Maple trees shall be 8-10' and the minimum height of the Colorado Blue Spruce trees shall be 7'. The trees shall be planted during the 2015 fall planting season or the 2016 spring planting season.";

2. On page 2 between lines 14 and 15 insert a new condition b., which must be met before receiving building permits, to read as follows: "b. Provide the City with a bond, escrow, or security agreement in the amount of \$1,900.00 to guarantee the timely purchase and planting of the above required landscape screen consisting of three (8-10') Red Sunset Maple trees and the three (7') Colorado Blue Spruce trees."

3. On pages 2 and 3 renumber conditions 2-7, as conditions 3-8.

Seconded by Christensen carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read the following resolution, introduced by Cyndi Lamm, who moved its adoption as amended:
A-89113 WHEREAS, Good Shepherd Lutheran Church has submitted an application designated as Special Permit No. 15025 to construct a 100-foot broadcast tower at Good Shepherd Lutheran Church on property generally located at 3825 Wildbriar Lane, legally described as:

Lot 1, Block 1, Briarhurst West 5th Addition, except 400 square feet in the northeast corner and 95.72 square feet in the southeast corner for the street, located in the Southeast Quarter of Section 7, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

WHEREAS, on May 27, 2015 the Planning Commission held a public hearing on said request and approved Special Permit No. 15025 with conditions, by adopting Resolution No. PC-01454; and

WHEREAS, on June 10, 2015 Robert J. Van Valkenburg filed a notice of appeal, dated June 9, 2015 with the City Clerk, appealing the action of the Planning Commission approving Special Permit No. 15025; and

WHEREAS on June 8, 2015 Kathy Siefken filed a notice of appeal dated June 8, 2015 with the City Clerk, appealing the action of the Planning Commission approving Special Permit No. 15025; and";

WHEREAS, pursuant to Lincoln Municipal Code § 27.63.025 the action appealed from is deemed advisory and the City Council is authorized to take final action on the Special Permit; and

WHEREAS, the real property adjacent to the area included within the site plan for this broadcast tower will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City of Lincoln, Nebraska:

That the application of Good Shepherd Lutheran Church, hereinafter referred to as "Permittee", to allow a 100-foot broadcast tower, on property legally described above be and the same is hereby granted under the provisions of Section 27.63.150 of the Lincoln Municipal Code upon condition that construction of said broadcast tower be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a 100-foot broadcast tower.

2. The Permittee shall provide and maintain a landscape screen consisting of three Red Sunset Maple trees and three Colorado Blue Spruce trees to be planted in the locations shown on the site plan attached hereto as Exhibit A. The minimum height of the Red Sunset Maple trees shall be 8-10' and the minimum height of the Colorado Blue Spruce trees shall be 7'. The trees shall be planted during the 2015 fall planting season or the 2016 spring planting season.

2.3. Before receiving building permits, the Permittee shall submit a revised and reproducible site plan including five copies showing the following revision to the Planning Department for review and approval:

a. Add a note to the site plan which states that, "This site plan does not regulate the use of the land by the church except with respect to this special permit for a broadcast tower."

b. Provide the City with a bond, escrow, or security agreement in the amount of \$1,900.00 to guarantee the timely purchase and planting of the above required landscape screen consisting of three (8-10') Red Sunset Maple trees and the three (7') Colorado Blue Spruce trees."

3.4. Before use of the facility, all development and construction shall substantially comply with the approved plans.

4.5. All privately-owned improvements shall be permanently maintained by the Permittee.

5.6. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

6.7. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors, and assigns.

7.8. The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Introduced by Cyndi Lamm

Seconded by Camp carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING THE APPOINTMENT OF CHAD BLAHAK AS DIRECTOR OF THE BUILDING AND SAFETY DEPARTMENT EFFECTIVE AUGUST 3, 2015 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89114 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Chad Blahak to the position of Director of the Building and Safety Department effective August 3, 2015 is hereby approved.

Introduced by Jon Camp

Seconded by Gaylor Baird and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING A CONTRACT BETWEEN THE BOARD OF TRUSTEES OF THE COMMUNITY HEALTH ENDOWMENT AND THE CITY OF LINCOLN TO EXPAND, ENHANCE, AND SUSTAIN 10 HEALTH, LINCOLN'S 24/7 HEALTH AND WELLNESS CABLE CHANNEL FOR A TERM OF JULY 1, 2015 THROUGH JUNE 30, 2017 IN THE AMOUNT OF \$84,244.00 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89115 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Grant Contract between the Board of Trustees of the Community Health Endowment and the City of Lincoln to expand, enhance, and sustain 10 Health, Lincoln's 24/7 health and wellness cable channel for a term of July 1, 2015 through June 30, 2017 and for a grant in the amount of \$84,244.00, upon the terms and conditions as set forth in said Grant Contract, is hereby approved and the Mayor is authorized to execute said Grant Contract on behalf of the City.
The City Clerk is hereby directed to transmit a copy of the executed original Grant Contract to Diane Gonzolas, for transmittal to the Community Health Endowment Board of Trustees.
Introduced by Jon Camp
Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 16-30, 2015 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89116 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the claims listed in the attached report, marked as Exhibit "A", dated June 16, 2015, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Kellie Elwood	\$1,120.00	Shawnadee & Mark Morris	\$71,114.27
Robert Masolom	48.13	Jennifer Woodard	3,000.00
Brad & Kathy Kalkwarf	768.32	Iris Alvarado	2,652.72
Black Hills Energy	421.88	Afton Mendoza	4,500.00
		Jeremy McCoy	300.00
		State Farm Insurance	
		a/s/o David Tarrence	5,000.00

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.
Introduced by Jon Camp
Seconded by Raybould and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required) - NONE

ORDINANCES - 3RD READING & RELATED RESOLUTIONS - (as required)

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND GREEN RIVER PROPERTIES, LLC FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 344 NORTH 27TH STREET - CLERK read an ordinance, introduced by Jane Raybould, approving a Real Estate Sales Agreement between the City of Lincoln and Green River Properties, LLC authorizing the sale of City owned property generally located at 344 North 27th Street, Lincoln, Nebraska, the third time.
RAYBOULD Moved to pass the ordinance as read.
Seconded by Camp and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20218, is recorded in Ordinance Book 29.

RESOLUTIONS - 1ST READING - NONE

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)

CHANGE OF ZONE 15017 - APPLICATION OF PAWS 4 FUN, LLC FOR A CHANGE OF ZONE FROM H-2 HIGHWAY BUSINESS DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 222 NORTH 44TH STREET - CLERK read an ordinance, introduced by Roy Christensen, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

CHANGE OF ZONE 15015 - APPLICATION OF ROBERT AND MARJORIE BIRKETT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 5000 SOUTH 84TH STREET - CLERK read an ordinance, introduced by Roy Christensen, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

CHANGE OF ZONE 15014 - APPLICATION OF SOUTH HILLS, INC. FOR A CHANGE OF ZONE FROM R-1 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF OLD CHENEY ROAD AND NORMAN ROAD. (RELATED ITEMS: 15-90, 15R-151) - CLERK read an ordinance, introduced by Roy Christensen, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

SPECIAL PERMIT NO. 15035 - APPLICATION OF SOUTH HILLS, INC. TO ALLOW THE CONSTRUCTION OF A RESIDENTIAL HEALTH CARE FACILITY FOR UP TO 258 RESIDENTS, INCLUDING WAIVERS TO THE ZONING CODE AND LAND SUBDIVISION ORDINANCE TO INCREASE THE MAXIMUM HEIGHT OF BUILDINGS, ALLOW BLOCK LENGTH TO EXCEED 1,320 FEET, AND ELIMINATE PEDESTRIAN EASEMENT REQUIREMENTS FOR A BLOCK LENGTH EXCEEDING 1,000 FEET, ON PROPERTY GENERALLY LOCATED ON THE WEST PORTION OF THE KNOLLS COUNTRY CLUB, WEST OF NORMAN ROAD AND SOUTH OF OLD CHENEY ROAD. (RELATED ITEMS: 15-90, 15R-151)

AMENDING CHAPTER 9.44 OF THE LINCOLN MUNICIPAL CODE RELATING TO FIREWORKS TO PROHIBIT THE SALE OR USE OF SKY LANTERN FIREWORKS WITHIN THE CITY OF LINCOLN - CLERK read an ordinance, introduced by Roy Christensen, amending Chapter 9.44 of the Lincoln Municipal Code relating to Fireworks to prohibit the sale or use of sky lantern fireworks within the City of Lincoln by amending Section 9.44.010 to add a definition for sky lanterns, and adding a new section numbered 9.44.075 to make it unlawful for any person to sell at retail, offer for sale at retail, discharge, explode, or use any of sky lantern fireworks within the city; and repealing Section 9.44.010 of the Lincoln Municipal Code as hitherto existing, the first time.

ADJOURNMENT

3:45 P.M.

CAMP Moved to adjourn the City Council Meeting of July 20, 2015.
 Seconded by Raybould and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Teresa J. Meier, City Clerk

Alexis Traylor, Office Specialist

